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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,633	12/03/2001	Corinne Rosier	216566US2	7436

22850 7590 11/01/2005

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EXAMINER

CHANG, RICHARD

ART UNIT PAPER NUMBER

2663

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/998,633

Applicant(s)

ROSIER, CORINNE

Examiner

Richard Chang

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 21 and 23 is/are rejected.
- 7) ☒ Claim(s) 4-20 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/03/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 4-20 and 22 are objected to under 37 CFR 1.75(c) as being in improper form because an improper multiple dependent claim cannot depend from any other multiple dependent claim.

Regarding to claim 4, claim 4 is a multiple dependent claim which depends on another multiple dependent claim 3.

Regarding to claim 5, claim 5 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 3 to 4.

Regarding to claim 6, claim 6 is a multiple dependent claim which depends on another multiple dependent claim 5.

Regarding to claim 7, claim 7 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 3 to 6.

Regarding to claim 8, claim 8 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 6 to 7.

Regarding to claim 9, claim 9 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 7 to 8.

Regarding to claim 10, claim 10 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 3 to 9.

Regarding to claim 11, claim 11 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 3 to 10.

Regarding to claim 12, claim 12 is a multiple dependent claim which depends on another multiple dependent claim 11.

Regarding to claim 13, claim 13 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 7 to 12.

Regarding to claim 14, claim 14 is a multiple dependent claim which depends on another multiple dependent claim 12.

Regarding to claim 15, claim 15 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 13 to 14.

Regarding to claim 16, claim 16 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 11 to 15.

Regarding to claim 17, claim 17 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 9 to 13.

Regarding to claim 18, claim 18 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 15 to 17.

Regarding to claim 19, claim 19 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 11 to 18.

Regarding to claim 20, claim 20 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 14 to 19.

Regarding to claim 22, claim 22 is a multiple dependent claim which depends on another multiple dependent claims as any of claims 3 to 20.

See MPEP § 608.01(n). Accordingly, the claim 4-20 and 22 are not been further treated on the merits.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US patent No. 5754754 ("Dudley et al.").

Regarding claims 1, 21 and 23, Dudley et al. teach a method and system (10) for transmitting data between at least one transmitter (12) and at least one receiver (14) (See Fig. 1), in the form of packets (40, See Fig. 2) of at least one data item, each of said data packets (40) being associated with an identifier (52) of said packet, said receiver (14) periodically sending a feedback message (60) to said transmitter (12), comprising at least one bitmap block (70) associated with a predetermined number of data packets having consecutive identifiers (72), so as to selectively inform said transmitter (12) of a state of acknowledgement (acknowledged or unacknowledged) of each of said data packets of said block (70), characterized in comprising at least one step of associating at least one timer (36) with at least some of said bitmap blocks (68) (See Fig. 1 and Fig. 2, Col. 5, line 38 - Col. 6, line 37).

Regarding claim 2, Dudley et al. further teach that a first step of activating said timer (32), when said transmitter (12) sends to said receiver (14) the first of said data packets (40) of consecutive identifiers (52) associated with said block (header), so that said timer (32) switches to said activated state (See, Col. 6, lines 19-37).

Regarding claim 3, Dudley et al. further teach that for a given bitmap block (68) (header), a first step of deactivating said timer (32) after a predetermined maximum duration (expired), and in that said data packets of said block (68) are then considered by said transmitter (12) in said unacknowledged state (See, Col. 6, lines 19-37).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*rk*  
rkc

Richard Chang  
Patent Examiner  
Art Unit 2663

  
**DERRICK FERRIS  
PATENT EXAMINER**